

TITLE 15. MOTOR VEHICLES AND TRAFFIC

Chapter 15.01. Traffic Regulations

15.01.010. Traffic Code:

The following sections of the "Utah Criminal and Traffic Code" as compiled by the Utah Department of Public Safety and published as a code in book form, (three copies of the most current such addition have been and will be filed for use and examination by the public in the Office of the Brigham City Recorder), are hereby approved and adopted as part of the Traffic Code of Brigham City:

Sections 41-2-136

Sections 41-6-1 through and including 41-6-186.

Sections 41-12(a)-101 through and including 41-12(a)-606.

Any amendments, modifications, supplements or later editions of said code replacing said code shall constitute the code then in effect under this ordinance; provided, however, that before any later editions shall take effect, the City Council by resolution, shall certify that the later editions are available and three copies of all amendments, modifications, supplements or later editions shall be filed for examination and use by the public in the office of the City Recorder of Brigham City.

With regards to penalties set forth in Section 41-6-12 of the Code, violation of the provisions is an infraction unless otherwise identified as a Class B or Class C Misdemeanor by the language of the particular section and as to such provisions the penalty shall be either those of a Class B or Class C Misdemeanor as specified.

The penalty provisions in the following sections are hereby specifically amended so as to be reduced to Class B Misdemeanors:

41-6-13.5

41-6-29(2)

41-6-40

15.01.020. Duty to Keep Proper Lookout.

No person shall drive a vehicle on the streets of this City without keeping a reasonable and proper lookout for other traffic.

15.01.030. Negligent Collision.

It shall be unlawful to operate a vehicle with such lack of due care and in such negligent manner as to cause the same to collide with any vehicle, person or object.

15.01.040. Noise Emanating From Motor Vehicle.

It is unlawful for any person, while operating, driving or parking any motor vehicle, to use or operate any electronic device, radio, stereo, tape player, disc player or other device for the producing or reproducing of sound in such a manner that it disturbs the peace, quiet and comfort of persons in the vicinity of the motor vehicle, unless said person is operating under authority duly and properly given by Brigham City. It is a prima facie violation of this section if the sound emanating from the electronic device, radio, stereo, tape player, disc player or other device for producing or reproducing sound in or on the motor vehicle is clearly audible from a distance of fifty (50) feet. Violation of this section is a Class B Misdemeanor.¹

Chapter 15.02. Parking Regulations.

15.02.010. Parallel Parking.

It shall be unlawful to park a motor vehicle on any of the streets in Brigham City other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of street, except as otherwise provided in this article.

¹ Ordinance No. 98-46, 9/24/98

15.02.015. Angle Parking. Restriction On.

Angle parking is permitted on the following streets only, to-wit:

- A. Both sides of 100 West Street from 500 North Street north a distance of 300 feet.
- B. 300 North Street between 100 East and 200 East - entire block on north side of said street.
- C. The west side of 200 West Street from 200 North, north a distance of 100 feet.
- D. The east side of 200 West Street from 300 North, south a distance of 400 feet.
- E. The west side of 300 East Street from Forest Street 240 feet north.
- F. The west side of 300 East Street from 100 South, south a distance of 100 feet.
- G. The west side of 100 East Street between 200 and 300 South streets.
- H. The north side of 300 South Street between Main and 100 East Streets.
- I. The east side of 800 West Street between 200 South and 400 South.
- J. The west side of 200 East Street between 300 and 400 South Streets.
- K. The north side of 400 South Street extending from 200 East westward a distance of 100 feet.
- L. 400 South between 600 West and 800 West on the north side of said street.
- M. The south side of 500 South Street from 200 East running a distance of 165 feet.
- N. The west side of 200 East Street from 500 South, south a distance of 240 feet.
- O. The east side of 200 West Street from 500 South, south a distance of 100 feet.
- P. The east side of 200 West Street from Lakeview Drive north a distance of 200 feet.
- Q. The west side of 600 West Street between 200 South and 400 South Streets.
- R. The south side of Forest Street between Main Street and 100 West Street, as marked.
- S. The west side of 100 East Street from 900 North, south a distance of 450 feet, as marked.²
- T. The east side of 100 West Street between 200 South Street and 300 South Street³
- U. *The west side of 100 East Street between 100 South Street and 100 North Street as marked, from the time the required markings have been painted. The City during this time will evaluate this parking to determine the need for additional public parking in this area for special events such as Heritage Arts Festival and Peach Days.*⁴

15.02.020. Main Street Parking.

It shall be unlawful to park or leave a motor vehicle upon Main Street in Brigham City between Second South Street and First North Street, and upon Forest Street between Main Street and First West Street, and upon First South Street between First East Street and First West Street, for a length of time in excess of two hours between the hours of 9:00 a.m. and 6:00 p.m. of each day except on Sundays and Legal Holidays.

15.02.025. Limitation on Use of Parking Stalls Identified As Reserved for Handicapped.

A. Any parking stall identified by either sign, painting or other plainly visible marking as reserved for use by the handicapped shall mean that a motor vehicle may not be parked in such parking stall unless said motor vehicle has either license plates or a window identification issued by the State of Utah and identifying the operator of the vehicle as handicapped. The parking privileges granted by this section also apply to vehicles displaying a distinctive handicapped license plate or transferrable identification issued by any other state or nation provided such identification is displayed on the vehicle utilized by the handicapped person.

B. This section applies to and may be enforced on both public property and private property which is used or intended for use by the public.

C. Any violation of this section is an infraction punishable by a fine not to exceed \$25.00.

15.02.030. Restrictions on Trucks and Buses.

It shall be unlawful for trucks and buses with a length overall of greater than 20 feet to park on either side of Main Street of Brigham City between 200 South and 100 North, except between the hours of 12:00 midnight and 6:00 a.m. of the following day.

² Ordinance No. 00-13, dated 4/6/00

³ Ordinance No. 04-07, dated 2/19/04

⁴ Ordinance No. 05-15, dated 6/16/05

15.02.040. Commercial Truck and Recreational Vehicle Parking - Prohibited.

A. No person shall park a commercial licensed vehicle with a load capacity greater than 21,000 pounds or any other vehicle over 30 feet in length on any City street for a period of time longer than the time reasonably necessary to load or unload the vehicle.

B. The above paragraph shall not apply to stops made by such vehicles for meals during the day or night for one hour, if the street is well lighted at the point of parking. In addition, the above paragraph shall not apply in the case of an accident or other emergency when the operator of any such vehicle is reasonably required to leave said vehicle.⁵

15.02.050. Double Parking.

It shall be unlawful within the corporate limits of Brigham City upon the Main Street between 800 South and 800 North and on Forest Street from Main Street to 100 West Street to park a motor vehicle parallel to and outside of the marked lines or stalls so laid out and designated for parallel parking wherein another car is so parked within said lines or stalls, in a manner commonly called double parking.

15.02.060. Unlawful to Park - Restricted Areas - Red Curbs.

It shall be unlawful for any person, firm or corporation to park or cause to be parked, any motor vehicle upon the streets in front of any curb painted red or designated "no parking" by any sign or device placed in said area.

15.02.070. Disabled Vehicles - Unlawful to Leave or Dismantle on Public Streets.

It shall be unlawful for any person, firm or corporation, to leave or cause to be left upon the public streets of Brigham City, any disable vehicle for a period longer than forty-eight (48) hours.

It shall be unlawful for any person, firm or corporation to dismantle, or cause to be dismantled, any disabled vehicle upon the public streets of Brigham City.

The Chief of Police or any police officer is hereby empowered to remove, or cause to be removed from the streets of Brigham City, at the expense of the owner thereof any disabled vehicle found left upon the public streets of Brigham City contrary to the provisions of this ordinance.

15.02.080. Motor Vehicle Left Unattended. Brakes to be Set and Engine Stopped.

No driver or person in charge of a motor vehicle shall permit it to stand attended without first stopping the engine, locking the ignition and removing the key, or when such motor vehicle is standing upon any perceptible grade without effectively setting the brakes thereon and turning the front wheels to the curb or side of the street.

15.02.090. Police Officer to Move Vehicle Illegally Parked.

Whenever any officer finds a vehicle parked or standing upon a street in violation of any provisions of this article such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same to a position off the main traveled part of such street.

15.02.100. Stopping or Parking on Side Streets Outside of Business or Residential District.

A. Upon any street outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon a roadway when it is practical to stop, park or so leave such vehicle off such part of said roadway, but in every event any unobstructed width of the roadway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such roadway.

B. This section shall not apply to the driver of any vehicle which is disabled while on the main traveled roadway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

15.02.110. Stopping or Parking. Prohibition as to Specified Areas.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

⁵ Ordinance No. 97-25, 10/16/97

1. On a sidewalk;
 2. In front or within five feet of a private driveway;
 3. Within an intersection;
 4. Within five feet of a fire hydrant;
 5. On a crosswalk;
 6. Within 20 feet of a crosswalk at an intersection;
 7. Within 30 feet upon the approach to any flashing beacon or traffic control device located at the side of a roadway;
 8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless authorized signs or markings indicate a different length;
 9. Within 50 feet of the nearest rail or railroad crossing;
 10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance when properly sign posted;
 11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct or be hazardous to traffic;
 12. Upon any bridge or other elevated structure upon a street or within a street tunnel or underpass;
 13. At any place where official signs or traffic markings prohibit stopping, standing or parking; or
 14. With the left-hand side of the vehicle to the curb except as otherwise permitted on one-way streets.
- B. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

15.02.120. Approach to Parking Space.

- A. No person shall move his vehicle in any manner or leave a parking space and then re-enter it to avoid the intent of this code.
- B. Every driver about to enter a parking space being vacated shall stop his vehicle and wait to the rear of the vehicle in the actual process of vacating the parking space and having so waited shall have prior right to the parking space over all other drivers.
- C. No driver shall stop his vehicle ahead of a parking space being vacated and attempt to interfere with a driver who has waited properly to the rear of a parking space being vacated.
- D. No driver shall stop and wait for a parking space unless the vehicle vacating the space is actually in motion in the process of vacating.

15.02.130. Parking Not to Obstruct Traffic.

- A. No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.
- B. No person shall park any vehicle in such manner or under such conditions as to obstruct any sidewalk, crossing or private driveway.

15.02.140. Parking in Alleys.

No person shall park a vehicle within an alley except during the necessary and expeditious loading and unloading of merchandise, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property or interfere with the free movement of traffic through the alley.

15.02.150. Standing and Parking on One-Way Roadways.

In the event a street includes two separate roadways and traffic is restricted to one direction upon each of said roadways, no person shall stand or park a vehicle upon the left side of either of such roadways.

15.02.160. Parking Prohibited at All Times on Certain Hours on Certain Streets.

When proper signs or traffic markings are erected or in place giving notice thereof, no person shall park a vehicle or permit such vehicle to remain standing at any time upon any of the streets or parts of streets.

15.02.170. Parking on Walk Or Curbing.

It shall be unlawful for any person to leave, or cause to be left or parked, any vehicle upon, over or across any sidewalk, or that parking strip area between the sidewalk and curb. "Sidewalk," for the purposes of this ordinance, means that portion of the street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians. Should there be no paved sidewalk in place, the parking strip shall be defined to be that area lying between the curb, or if no curb, the lateral line of the street, and ten (10) feet towards the adjacent property, along the length of the street abutting the property. Should the property line of the property upon which there is no paved sidewalk adjacent to the street be less than ten (10) feet from the curb or lateral line of the street, the parking strip shall be defined as that area between the curb or lateral line of the street and the property line.⁶

15.02.180. Parking Regulations, Brigham City Parking Lot.

A. Except as otherwise set forth herein, no over night parking shall be allowed in the Brigham City parking lot located adjacent to the Brigham City Hall and the Brigham City Library, between 100 East and Main Street. All public parking in said parking lot shall be only within those lined parking stalls not specifically designated (by sign, painting or otherwise) as non-public or Brigham City employee parking.

B. During the hours of their employment, employees of Brigham City shall be allowed to park in the Brigham City parking lot located adjacent to the Brigham City Hall and Brigham City Library, between 100 East and Main Street either within those lined parking stalls specifically designated (by sign, painting or otherwise) as Brigham City employee parking or with an appropriate permit and validation issued by Brigham City.

C. Employees of the Brigham City Police Department, including dispatchers and animal control, shall be allowed to park in the Brigham City parking lot located adjacent to the Brigham City Hall and Brigham City Library, between 100 East and Main Street either within those lined parking stalls specifically designated (by sign, painting or otherwise) as Brigham City Police Department parking or with an appropriate permit and validation issued by Brigham City.

D. In addition to the provisions relating to Brigham City employees and Police Department, Brigham City may designate (by sign, painting or otherwise) specific lined parking stalls for use exclusively by the Mayor, Brigham City Department Heads or other individuals approved by the City Council.

E. Notwithstanding any of the foregoing provisions, Brigham City may, from time to time, authorize parking within the Brigham City parking lot adjacent to the Brigham City Hall and Brigham City Library, between 100 East and Main Street contrary to the provisions of this ordinance.

F. No thru traffic shall be permitted in the Brigham City parking lot adjacent to the Brigham City Hall and Brigham City Library, between 100 East and Main Street. It is unlawful to use said parking lot solely as a means of access from 100 East to Main Street or from Main Street to 100 East.

G. Any violation of this section shall be punished as an infraction as defined by Utah State Law. Any vehicles parked in violation of this section may be towed away by Brigham City at the registered owner's sole cost and expense.

15.02.185. Parking Regulations: Brigham City Parks.

A. Unless previously authorized by Brigham City, it shall be unlawful for any person to park or cause to be parked, any motor vehicle in any park owned by Brigham City except in the designated parking lots and within a single lined parking stall. Brigham City may designate (by sign, painting or otherwise) specific lined parking stalls for use exclusively by designated individuals and/or employees.

B. Unless previously authorized by Brigham City, it shall be unlawful for any person to park or cause to be parked, any motor vehicle in the parking lot of a City owned park between the hours of 10:00 p.m. and 6:00 a.m.

C. Any violation of this section shall be punished as an infraction as defined by Utah State law. Any vehicles parked in violation of this section may be towed away by Brigham City at the registered owner's sole cost and expense.⁷

⁶Ordinance No. 01-30, dated 7/19/01

⁷ Ordinance No. 00-23, dated 7/6/00

15.02.190. Evidence Required on Parking Violations.

The presence of any vehicle in or upon any public street in Brigham City parked in violation of the City ordinance regulating the parking of vehicles, shall be prima facie evidence that the person in whose name such vehicle is registered, as owner, committed or authorized the commission of such violation.

15.03. Regulations for Bicycles.

15.03.010. Parents Responsible.

It shall be unlawful for a parent or custodian of any child and the guardian of any ward to knowingly permit any such child or ward to violate any of the provisions of this article.

15.03.020. Licenses Required.

It shall be unlawful for any person to operate or ride a bicycle upon any of the streets, alleys, sidewalks or public ways of this City unless said bicycle has been registered and licensed as hereinafter provided or after the license has been duly suspended or revoked. Every bicycle before being so registered and licensed must be inspected with relation to its frame number, operating condition, warning device, reflector and handle bars. The Chief of Police is hereby authorized and directed, subject to the approval of the City Council, to prepare and issue regulations governing the inspection and licensing of bicycles; provided that any such license so issued or heretofore issued by the Police Department of Brigham City shall be valid for the life of such bicycle or until the transfer of ownership thereof, or the metal plate, issued to such bicycle becomes destroyed, lost or mutilated, at which times, such bicycles shall again be inspected, registered and licensed as herein provided. The fee to be paid for each bicycle registered, transferred, or re-registered because of transfer of title or the destruction, loss or mutilation of the license plate or any other reason shall be One Dollar (\$1.00) payable in advance, or such other amount as shall be fixed by the Council by resolution.

15.03.030. Mutilation, Alteration, Removal of License, Etc.

No person shall willfully or maliciously destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this code, or remove, destroy or mutilate any license plate while the same is valid, or operate any bicycle without having attached thereto a license plate issued as provided herein.

15.03.040. Equipment.

Any bicycle operated upon any street, alley, sidewalk or public way of this City shall be equipped with a warning device consisting of a bell or horn which must be sounded to warn all persons of its approach. However, no bicycle shall be equipped with and no person shall use a siren or whistle as a warning device.

Any bicycle operated during the period of one-half hour after sunset and one-half hour before sunrise, shall in addition to the foregoing, be equipped with a lighted lamp, attached to the front of bicycle, under normal atmospheric conditions visible for a distance of at least 500 feet. There shall be attached to the rear of said bicycle a reflector or a lighted lamp visible under like conditions for a distance of at least 500 feet.

15.03.050. Bicycle Riders Subject to Code.

Every person riding a bicycle upon the streets, alleys, sidewalks or public ways of this City shall be subject to the provisions of this code. Including Article 5, applicable to the driver of a vehicle except as to special regulations of this code or those provisions which by their nature can have no application.

15.03.060. Bicycles. Miscellaneous Rules.

It shall be unlawful for operators of bicycles:

A. When riding upon a sidewalk to fail to yield the right-of-way to pedestrians and sound a warning device before overtaking or passing any pedestrian.

B. To ride more than two abreast upon any street and must proceed on a single file upon any sidewalk.

C. To carry extra passengers or carry any packages, bundle or article which would require the removal of the hand or hands from the handle bars of said bicycle nor permit the bicycle he is riding to be towed by another vehicle.

D. To operate or ride a bicycle upon the sidewalks adjoining Main Street between Second South and First North.

15.03.070. Impounding of Bicycles.

The police department is hereby directed and authorized to impound any bicycle so used in violation of this code for a reasonable period of time pending investigation of any alleged violation of this code or until such bicycle is registered and licensed by the owner thereof and equipped as herein provided.

15.04. Administration.

15.04.010. Duty of the Police Department.

It shall be the duty of the police department to enforce the traffic regulations of this City and all of the state vehicle laws applicable to traffic in this City, to make arrests for traffic violations, to investigate accidents, to cooperate with other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions and to carry out those duties specifically imposed upon the said division by the ordinances of this City.

15.04.020. Records of Traffic Violations.

The police department shall keep a record of all local violations of the traffic ordinances of this City or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such records shall be maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

15.04.030. Investigate Accidents.

The police department shall investigate traffic accidents, arrest and assist in the prosecution of those persons charged with the violation of law causing or contributing to such accidents.

15.04.040. Traffic Accident Studies.

Whenever the accidents in any particular location become numerous, the chief of police shall cooperate with the Public Works Department in conducting studies of such accidents and determining remedial measures.

15.04.050. Traffic Accident Reports.

A. The police department shall maintain a suitable system of filing accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the Public Works Department.

B. The police department shall receive and properly file all accident reports made to it under state law or under the ordinances of this City, but all such accident reports made by drivers shall be for the confidential use of the police department and the Public Works Department, and no such report shall be admissible in any civil or criminal proceeding, other than upon the request of the court having jurisdiction to prove compliance with the laws requiring the making of any such report.

15.04.060. Driver's Files.

The police department shall maintain a suitable record of all local traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

15.04.070. Authority to Install Traffic Control Signs, Markings and Devices.

The police department and the Public Works Department shall work in concert in establishing, maintaining, altering or removing all traffic control devices, signs and markings located on or adjacent to public streets within the City.

There is hereby adopted as the official guidelines to be used by said departments in making said decisions the "Manual on Uniform Traffic-Control Devices," 1978 Edition, published by the United States Department of Transportation, three copies of which shall be maintained on file with the City Recorder.

All such signs, markings and devices so placed shall be and become the official location of such signs, markings or devices for Brigham City.

15.04.080. Violation. Penalty.

Unless otherwise specifically provided, any violations of this title shall be an Infraction.